

## **DECLARATION OF EMERGENCY**

### **Department of Children and Family Services Division of Programs Economic Stability and Self-Sufficiency**

Increasing Resource Limit for Households with Elderly  
and Disabled Members (LAC 67:III.1983)

The Department of Children and Family Services (DCFS) has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953(B) to adopt LAC 67: III, Subpart 3, Chapter 19, Section 1983. This declaration is necessary to extend the original Emergency Rule effective October 1, 2011, since it is effective for a maximum of 120 days and will expire on January 28, 2012, before the final rule takes effect.

Pursuant to Section 5(g) of the Food, Conservation and Energy Act of 2008 (FECA), adjustments to the Supplemental Nutrition Assistance Program (SNAP) asset limit shall reflect changes for the twelve month period ending the preceding June in the Consumer Price Index (CPI) for all Urban Consumers and will be rounded down to the nearest \$250 increment. In accordance with the Food and Nutrition Services (FNS) SNAP policy memo dated August 29, 2011, Section 1983 of Subpart 3, Chapter 19, Subchapter I is being revised effective October 1, 2011 to increase the resource limit to \$3,250 for households that include at least one elderly or disabled member who is not categorically eligible.

Emergency action is required in this matter in order to avoid sanctions and penalties from the United States (R.S. 49:953(B)). If the agency does not follow the Federal law regarding increasing the resource limit for households that include at least one elderly or disabled member who is not categorically eligible, the department may be subject to sanctions and penalties.

#### **Title 67**

#### **SOCIAL SERVICES**

#### **Part III. Economic Stability and Self-Sufficiency**

#### **Subpart 3. Supplemental Nutrition Assistance Program (SNAP)**

#### **Chapter 19. Certification and Eligible Households**

#### **Subchapter I. Income and Deductions**

#### **§1983. Income Deductions and Resource Limits**

A. - A.3.a. ...

B. For federal fiscal year 2011 and each subsequent federal fiscal year, the resource limit will be calculated based on changes in the Consumer Price Index for All Urban Consumers for the 12-month period ending the preceding June and will be rounded down to the nearest \$250 increment. The resource limit for a household is \$2,000, and effective October 1, 2011, the resource limit for a household that includes at least one elderly or disabled member is \$3,250 for households and individuals who are not categorically eligible.

AUTHORITY NOTE: Promulgated in accordance with 7 CFR 273.9 (d)(2) and (d)(6), P.L. 104-193, P.L. 106-387 and P.L. 107-171; Act 58, 2003 Reg. Session, P.L. 110-246, and Section 5(g) of the Food, Conservation and Energy Act of 2008 (FECA).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 12:285 (May 1986), amended LR 12:423 (July 1986), LR 12:824 (December 1986), LR 13:181 (March 1987), LR 14:684 (October 1988), LR 15:14 (January 1989). Amended by the Department of

Social Services, Office of Family Support, LR 19:303 (March 1993), LR 19:905 (July 1993), LR 20:780 (July 1994), LR 20:990 (September 1994), LR 20:1362 (December 1994), LR 21:186 (February 1995), LR 23:82 (January 1997), LR 27:867 (June 2001), LR 27:1934 (November 2001), LR 29:607 (April 2003), LR 30:495 (March 2004), LR 35: (April 2009), amended by the Department of Children and Family Services, LR 36:2530 (November 2010), LR 38:

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